

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 168

97TH GENERAL ASSEMBLY

0896L.03P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 173, RSMo, by adding thereto two new sections relating to residency at public institutions of higher education.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 173, RSMo, is amended by adding thereto two new sections, to be
2 known as sections 173.1150 and 1, to read as follows:

173.1150. 1. Notwithstanding any provision of law to the contrary, any individual
2 **who is in the process of separating from any branch of the military forces of the United**
3 **States with an honorable discharge or a general discharge shall have student resident**
4 **status for purposes of admission and in-state tuition at any approved public four-year**
5 **institution in Missouri or in-state, in-district tuition at any approved two-year institution**
6 **in Missouri.**

7 **2. To be eligible for student resident status under this section, any such individual**
8 **shall demonstrate presence within the state of Missouri. For purposes of attending a**
9 **community college, an individual shall demonstrate presence within the taxing district of**
10 **the community college he or she attends.**

11 **3. If any such individual is eligible to receive financial assistance under any other**
12 **federal or state student aid program, public or private, the full amount of such aid shall**
13 **be reported to the coordinating board for higher education by the institution and the**
14 **individual. The tuition limitation under this section shall be provided after all other**
15 **federal and state aid for which the individual is eligible has been applied, and no individual**
16 **shall receive more than the actual cost of attendance when the limitation is combined with**
17 **other aid made available to such individual.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **4. The coordinating board for higher education shall promulgate rules to**
19 **implement this section.**

20 **5. For purposes of this section, "approved public institution" shall have the same**
21 **meaning as provided in subdivision (3) of section 173.1102.**

22 **6. Any rule or portion of a rule, as that term is defined in section 536.010, that is**
23 **created under the authority delegated in this section shall become effective only if it**
24 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
25 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
26 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**
27 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**
28 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2013,**
29 **shall be invalid and void.**

Section 1. 1. This section shall be known as "Clark's Law."

2 **2. No public institution of higher education shall require a member of the national**
3 **guard to take any test or assessment within twenty-four hours of such member returning**
4 **from active duty or national guard training.**

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